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17 **UNITED STATES DISTRICT COURT**
 18 **NORTHERN DISTRICT OF CALIFORNIA**
 19 **SAN FRANCISCO DIVISION**

20 MARC OPPERMAN, et al.,
 21 Plaintiffs,
 22 v.
 23 PATH, INC., et al.,
 24 Defendants.

Case No.: 13-CV-00453-JST

**NOTICE OF FILING OF PROPOSED
 PROTECTIVE ORDER WITH REVISED
 PATENT PROSECUTION BAR PROVISION**

THIS DOCUMENT RELATES TO ALL CASES:

Opperman v. Path, Inc., No. 13-cv-00453-JST
Hernandez v. Path, Inc., No. 12-cv-1515-JST
Pirozzi v. Apple, Inc., No. 12-cv-1529-JST
Gutierrez v. Instagram, Inc., No. 12-cv-6550-JST

25 TO THE COURT AND ALL PARTIES OF RECORD:

26 PLEASE TAKE NOTICE that Defendants hereby submit a Proposed Protective Order
 27 with a revised patent prosecution bar provision applicable only to Defendants, consistent with the
 28 Court's October 13, 2013 Order Granting in Part and Denying in Part Request to Include Patent

1 Prosecution Bar in Protective Order (Dkt. 390). The revised Proposed Protective Order, attached
2 hereto as "Exhibit A," is identical to the Stipulated Proposed Protective Order previously agreed
3 by all parties (Dkt. 375) and entered by the Court (Dkt. 399), except that Defendants have revised
4 Section 9 ("Prosecution Bar") and added Section 2.4 (definition of "Defendant"). All Defendants
5 have agreed to the revised language contained in Exhibit A.

6 DATED: October 31, 2013

Respectfully submitted,

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ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

I, Joshua A. Jessen, attest that concurrence in the filing of this document has been obtained from the signatories indicated by a “conformed” signature (/s/) in this e-filed document.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 31st day of October, 2013, in Palo Alto, California.

DATED: October 31, 2013

Respectfully submitted,

GIBSON, DUNN & CRUTCHER LLP

By: /s/ Joshua A. Jessen
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APPLE INC.